

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

UNITED STATES POSTAL SERVICE

and

Case 07-CA-248849

**BRANCH 4374, NATIONAL ASSOCIATION
OF LETTER CARRIERS (NALC), AFL-CIO**

DECISION AND ORDER

On September 18, 2020, the United States Postal Service (the Respondent), Branch 4374, National Association of Letter Carriers (NALC), AFL-CIO (the Charging Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.¹

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent's business

The Respondent provides postal services for the United States and operates various facilities throughout the United States in performing that function, including its facility in Shelby Township, Michigan.

¹ Member Emanuel would not approve the parts of the Order that require the Respondent to take action with respect to "any other labor organization that represents employees at [the Shelby Township] facility," because no violations against other unions are alleged as part of this case.

The Board has jurisdiction over the Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act, 39 U.S.C. §101 et. seq., hereafter called (PRA).

2. The labor organization involved

At all material times, the National Association of Letter Carriers, AFL-CIO (National Union) and Branch 4374 (the Charging Party or the Union) have each been a labor organization within the meaning of Section 2(5) of the Act.

ORDER

Based on this stipulation and the record, and without any further notice of proceedings, the National Labor Relations Board orders that:

The Respondent, United States Postal Service, Shelby Township, Michigan, its officers, agents, successors and assigns, shall:

1. Cease and desist from:

(a) Unreasonably delaying in furnishing the Charging Party with relevant requested information, or in any other manner interfering with, restraining, or coercing its employees in the exercise of rights guaranteed in Section 7 of the Act;

(b) Unreasonably delaying in furnishing the Charging Party with relevant requested information, or in any other manner refusing to bargain collectively and in good faith with the Charging Party as the designated servicing agent of the exclusive collective-bargaining representative.

2. Take the following affirmative action:

(a) Within 14 days of service by Region 7, post copies of the attached notice marked Appendix A at all facilities located at 7755 22 Mile Road, Shelby Township, Michigan; 7007 Metropolitan Parkway, Sterling Heights, Michigan; and 3785 Hall Road, Utica, Michigan. Copies of the notice, on forms provided by Region 7, after being signed by the Respondent's authorized representative, shall be posted by the Respondent immediately upon receipt and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material.

(b) Within 21 days after service by Region 7, file with the Regional Director a sworn certification by a responsible Respondent official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

Dated, Washington, D.C., October 28, 2020.

John F. Ring, Chairman

William J. Emanuel, Member

Lauren McFerran, Member

NATIONAL LABOR RELATIONS BOARD

The Board's decision can be found at www.nlr.gov/case/07-CA-248849 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940



APPENDIX A

NOTICE TO EMPLOYEES POSTED BY ORDER OF THE NATIONAL LABOR RELATIONS BOARD An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS

SECTION 7 OF THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

Form, join, or assist a union;
Choose a representative to bargain with us on your behalf;
Act together with other employees for your benefit and protection;
Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT refuse to bargain collectively and in good faith with Branch 4374, National Association of Letter Carriers, AFL-CIO (the Union) as the designated servicing representative of the exclusive collective-bargaining representative of our employees in the following appropriate Unit at our Shelby Township facility:

All full-time and regular part-time city letter carriers employed by Respondent at various facilities throughout the United States, but excluding professional employees, employees engaged in personnel work in other than a purely non-confidential clerical capacity, postal inspection service employees, employees in the supplemental work force, rural letter carriers, mail handlers, maintenance employees, special delivery messengers, motor vehicle employees, postal clerks, managerial employees, supervisory personnel, and security guards as defined in Public Law 9-375, 1201(2).

WE WILL NOT unreasonably delay in providing necessary and relevant information requested by the Union to perform its responsibilities as the servicing representative of the exclusive collective-bargaining representative of our employees in the Unit or by any other labor organization that represents employees at that facility.

WE WILL NOT in any other manner interfere with, restrain or coerce you in the exercise of your rights under Section 7 of the Act.

WE WILL NOT in any other manner fail and refuse to bargain collectively and in good faith with the Union as the designated servicing representative of the exclusive collective-bargaining representative of our employees in the Unit at our Shelby

Township facility or with any other labor organization that represents our employees at that facility.

WE WILL, upon request, bargain collectively and in good faith with the Union as the designated servicing representative of the exclusive collective-bargaining representative of our employees in the Unit at our Shelby Township facility, or with any other labor organization that represents our employees at that facility.

UNITED STATES POSTAL SERVICE

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